

**REMARKS**

Claims 2-10 are pending in this application. Claims 1 and 7 stand rejected and claims 2, 5, 6, 8, 9, and 10 are objected to. Claim 1 has been canceled without prejudice. Applicant wishes to thank the Examiner for the indication of allowance of claims 3 and 4, and the indication of allowable subject matter in claims 2, 5, 6, 8, 9, and 10. By this Amendment, claims 2 and 7 have been amended. The amendments made to the claims do not alter the scope of these claims, nor have these amendments been made to define over the prior art. Rather, the amendments to the claims have been made for cosmetic reasons to improve the form thereof. In light of the amendments and remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Independent claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,274,103 ("Maniwa") in view of U.S. Patent No. 5,752,171 ("Akyia") in view of U.S. Patent No. 6,865,216 ("Beamish"). Applicant respectfully submits that the cited combination of references fails to disclose the express limitations of independent claim 1.

As Applicant notes that claim 1 previously recited a first and second attenuation amounts and control means for selecting between the two attenuation amounts.

In contrast, in Maniwa, attenuation is controlled so that the sum of the attenuation amount outside the band in the pre-distorter and the transmitter is a constant amount. This is unlike the first and second attenuation amounts explicitly recited in the claims. However, in an effort to expedite prosecution of this case, Applicant has canceled independent claim 1 rendering the rejection moot. Therefore, Applicant respectfully requests a notice of allowance in the pending case.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

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Respectfully submitted,

By \_\_\_\_\_  
Ian R. Blum

Registration No.: 42,336  
DICKSTEIN SHAPIRO MORIN & OSHINSKY  
LLP  
1177 Avenue of the Americas  
New York, New York 10036-2714  
(212) 835-1400  
Attorney for Applicant

IRB/mgs